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DEVELOPING A DISPUTE SETTLEMENTS SYSTEM FOR THE  
FREE TRADE AREA OF THE AMERICAS

BY

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Dear Chairman:

In response to the call for papers that was published on the official FTAA process web site, I would like to submit my recently completed Master's thesis. As indicated in this thesis, which recognizes the importance of placing, particular emphasis on the development of the dispute settlement system at the early stages of negotiations, the aim of this thesis is to contribute to the design of the dispute settlement system to be created for the FTAA.

As required in the terms of reference for the working group on dispute settlement established at the Belo Horizonte Meeting, this thesis compares and analyzes some aspects of the dispute settlement systems of the GATT/WTO and certain regional and bilateral dispute settlement systems of the western hemisphere.

Please feel free to contact me by any of the means listed above.

Sincerely yours,

Mariel S. Filippidis

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Developing  
a Dispute Settlement System for the Free Trade  
Area of the Americas:

A Comparison of Some Aspects of the Dispute Settlement  
Mechanisms of the GATT/WTO and Certain Regional and  
Bilateral Dispute Settlement Systems of the Western Hemisphere

by

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## ABSTRACT

Within the context of the current negotiations over the Free Trade Area of the Americas, there is an unquestionable need to create a system to resolve disputes that may arise between the state parties. Since new dispute settlement systems are often developed by borrowing and learning from past experiences, this thesis examines and compares certain aspects of the dispute settlement mechanisms of the World Trade Organization and certain regional and bilateral agreements signed in the western hemisphere. The result of the analysis is a set of proposals about which of these aspects could be effectively integrated into the design of the dispute settlement system of the Free Trade Area of the Americas.

## RESUME

Dans le cadre des negociations actuelles sur la Zone de libre-echange des Ameriques (ZLEA), il existe un besoin incontestable de mettre sur pied un systeme qui permettra de regler les conflits pouvant survenir entre les differents partis. Puisque la mise sur pied d'un tel systeme est souvent basee sur les experiences anterieures, cette these a pour objet d'examiner et de comparer certains aspects des mecanismes de reglement de conflits de l'Organisation mondiale du commerce et de certaines ententes regionales et bilaterales conclues dans l'hemisphere occidental. Le resultat de cette analyse est un ensemble de propositions portant sur les aspects qui pourraient le mieux etre integres a la creation d'un systeme de reglement de conflits de la Zone de libre-echange des Ameriques.